CD DOCUME TL 1713

# MESSAGE TO THE AUSTRALIAN COALITION FOR EAST TIMOR FROM THE HONOURABLE JUSTICE MARCUS EINFELD, PRESIDENT OF THE HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION

I regret that due to a prior engagement I cannot be with you today.

Our region of geography and influence is beset by the struggle of human beings to survive in freedom and dignity. Yet we as ordinary Australians are doing little to assist. Of recent disturbing developments in our region China, Fiji, Malaysia, Sri Lanka, Cambodia and East Timor are just a selection of the most serious and tragic.

All human beings are entitled to have their fundamental rights respected and observed. These rights include the right of people freely to determine their political status and pursue their economic, social and cultural development. A corollary to this right is sovereignty over natural resources. Article 7 of the International Covenant on Civil and Political Rights further provides that: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." Australia has just ratified the U.N. Convention on Torture making similar provision.

Few of us can be neutral about Jakarta's seizure of a small neighbouring territory whose involvement on our account in World War II cost roughly 10% of its population. Our acceptance of Indonesia's action has meant the tolerance of the death or more than 150,000 Timorese who perished during the years immediately following the invasion, and continuing loss of human life. It is difficult to understand the Indonesian claim that the decolonisation in East Timor has been completed through the implementation of the right to self-determination by the people of East Timor". Free choice and bloodshed cannot easily co-exist.

The continuing human rights abuses in East Timor remain a cause of serious concern. During the pro-independence demonstrations in October this year, an estimated 40 Timorese were reportedly arrested for their alleged part in a pro-independence demonstration during the visit of the Pope. According to reports, some of those detained have been subjected to ill-treatment, including electrical shocks, by members of the security forces. The demonstrators, many of them students, reportedly waved banners with messages like "Pope, please save East Timor!" and chanted slogans in favour of East Timorese independence from Indonesia, before being beaten back and detained by security forces. Eye-witnesses reported that police and military forces used batons to disperse the protesters.

Our generation has no excuse for such inhumanities. In World War II we witnessed the most brutal barbarism ever unleashed on human beings. Thereafter we have sworn to the world and to each other never to let it happen again. Yet inequalities and agonies still abound around us, despite the fact that we are, globally speaking, the most advantaged generation in history. Modern civilisation, our children, and perhaps future generations, demand of us ever increasing efforts, vigilance and determination to keep working and struggling for a more humane world order. The people of East Timor must not be forgotten in this great quest.

Sydney, 27 November 1989